IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 402 OF 2007

ALONGWITH

WRIT PETITION NO. 944 OF 2007

GODREJ AND BOYCE MFG.

CO.LTD. & ANR. ... PETITIONERS.

VS.

THE UNION OF INDIA AND ORS. ... RESPONDENTS.

MR. A.D.PARAB FOR THE PETITIONERS.

MR. Y.R.MISHRA WITH D.A.DUBEY FOR RESPONDENT NO.1.

MR. ANIL AGARWAL I/B. A.M.BHATIA FOR RESPONDENT NO.2.

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CORAM : J.N.PATEL & A.A.SAYED, JJ.

DATE : October 30, 2007.

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P.C.

1. The learned Counsel for the Petitioner submits that Mr. Tulzapurkar, Sr. Counsel engaged by them is not available today, however, the Petitioners are willing to submit a Bank Guarantee to the extent of 75 % of the amount granted by the Appellate Authority. The Petitioners are at liberty to approach the

Appellate authority and the Appellate Authority may consider the request of the petitioners.

2. The Learned Counsel for the Petitioners submits that they will apply to the Appellate Authority regarding the Bank Guarantee in lieu of deposit within a period of two weeks from today by giving notice of 48 hours to the Respondent. The Appellate Authority to consider and decide the application of the Petitioners including within a period of two weeks thereafter.

3. The notice of motion as well as the Writ Petition stand disposed of accordingly.

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[J.N.Patel, J.]

[A.A.Sayed, J.]